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In re application of :
Willaim H. Kump et al.. : DECISION ON
Serial No. 09/705,566 : PETITION
Filed: November 03, 2000 :
For: SCREW-IN VENT PLUG FOR LEAD-ACID BATTERIES

This is a decision on the PETITION TO WITHDRAW HOLDING OF ABANDONMENT, filed December 04, 2003 and resubmitted on January 24, 2005. The petition requests that the abandonment, as set forth in the Notice of Abandonment of November 18, 2003, for failure to timely pay the required issue fee within the statutory period of three months from the mailing date of the Notice of Allowance, be withdrawn since the applicants did timely pay the issue fee on July 18, 2003. (Copies of the ISSUE FEE TRANSMITTAL (form PTOL-85B), and the USPTO date-stamped return receipt postcard receipt are attached to the instant petition.)

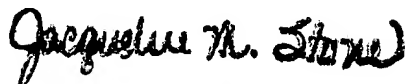
DECISION

The instant request has been accepted as a petition to withdraw the holding of abandonment under the provisions of 37 CFR 1.181 (no fee) - no abandonment-in-fact. A review of the evidence presented reveals that applicant's response, the ISSUE FEE TRANSMITTAL (form PTOL-85B) was properly filed on July 18, 2003 as evidenced by the copy of the USPTO date-stamped return receipt postcard indicating receipt of the ISSUE FEE TRANSMITTAL (form PTOL-85B) on July 18, 2003. A review of the USPTO financial records relating to the instant application fail to indicate that the issue fee submitted was ever credited to the instant application file. Further review of the Issue Fee Transmittal Form indicates that authorization to charge the issue fee to the Deposit Account Number was the indicated method of payment of fees. However, no deposit account number was given to authorize such charging of fees. However, it is clear from applicants' action by filing the Issue Fee Transmittal on July 18, 2003, that applicant intended to pay the issue fee and the omission of the Deposit Account Number being an oversight. As the instant petition gives authorization to charge any fees associated with this petition for revival to Deposit Account No. 03-1952, the issue fee will be charged to the Deposit Account Number.

Accordingly, in view of the authorization to charge any fees due to Deposit Account 03-1952, any holding of abandonment for failure to timely pay the required issue fee within the statutory period of three months from the mailing date of the Notice of Allowance is hereby vacated, and the application is returned to pending status. The application shall be forwarded to the technical

support staff for charging of the required fees due and forwarding to Patent Publications for processing.

The Petition is GRANTED.

A handwritten signature in black ink, reading "Jacqueline M. Stone". The signature is written in a cursive, slightly stylized font.

Jacqueline Stone, Director
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